

**AMENDMENT TO
RIGHT-OF-ENTRY AGREEMENT
for
Grand Ave Park Bridge Project
COE #UP-PW3588**

THIS AMENDMENT TO RIGHT-OF-ENTRY AGREEMENT ("Amendment") is made and entered this 10TH day of July, 2015, by and between the **Port of Everett**, a Washington Port District (hereinafter referred to as "Owner") and the **City of Everett**, (hereinafter referred to as "City").

RECITALS

A. Owner and City are parties to the Right-of-Entry Agreement dated March 10th, 2015 ("Agreement"), which grants the City permission to enter upon Owner's "Property" (as defined in the Agreement) for the purpose of conducting geotechnical borings in furtherance of the City's Grand Avenue Park Bridge Project, (the "Project").

B. As a part of the geotechnical borings performed on the Property, the City's contractor installed two monitoring wells at boring locations BH-4 and BH-11 (as shown on the attached "GROUND WATER WELL LOCATIONS" depiction attached hereto and incorporated herein by reference) for the purpose of monitoring water levels and for water quality testing for the Project. Permission for the installation of these monitoring wells and the subsequent water level monitoring and testing activities by the City were not included in the Agreement.

C. Owner and City mutually desire to amend the Agreement to allow for the two monitoring wells as installed and to permit the City to conduct monitoring activities relative to water levels and to conduct water quality testing.

AGREEMENT

In consideration of mutual benefits, Owner and City agree that the Agreement, by this amendment, shall also include the right for the City to install monitoring wells located at BH-4 and BH-11 and permission to conduct monitoring of water levels and to conduct water quality testing for the Project. City agrees to provide copies of the water level and water quality reports to the Owner, at no cost to the Owner.

All other terms, conditions and provisions of the Agreement remain in full force and effect, except as expressly modified by this Amendment. Unless otherwise provided in this

Amendment, capitalized words in this Amendment that are defined in the Agreement have the same meaning in this Amendment as they have in the Agreement.

DATED as of the day and year first set forth above.

Port of Everett, a Washington Port District

City of Everett, a Washington municipal corporation

By *Les Reardanz*
Les Reardanz/Executive Director

By *Ray Stephanson*
Ray Stephanson/Mayor

ATTEST:

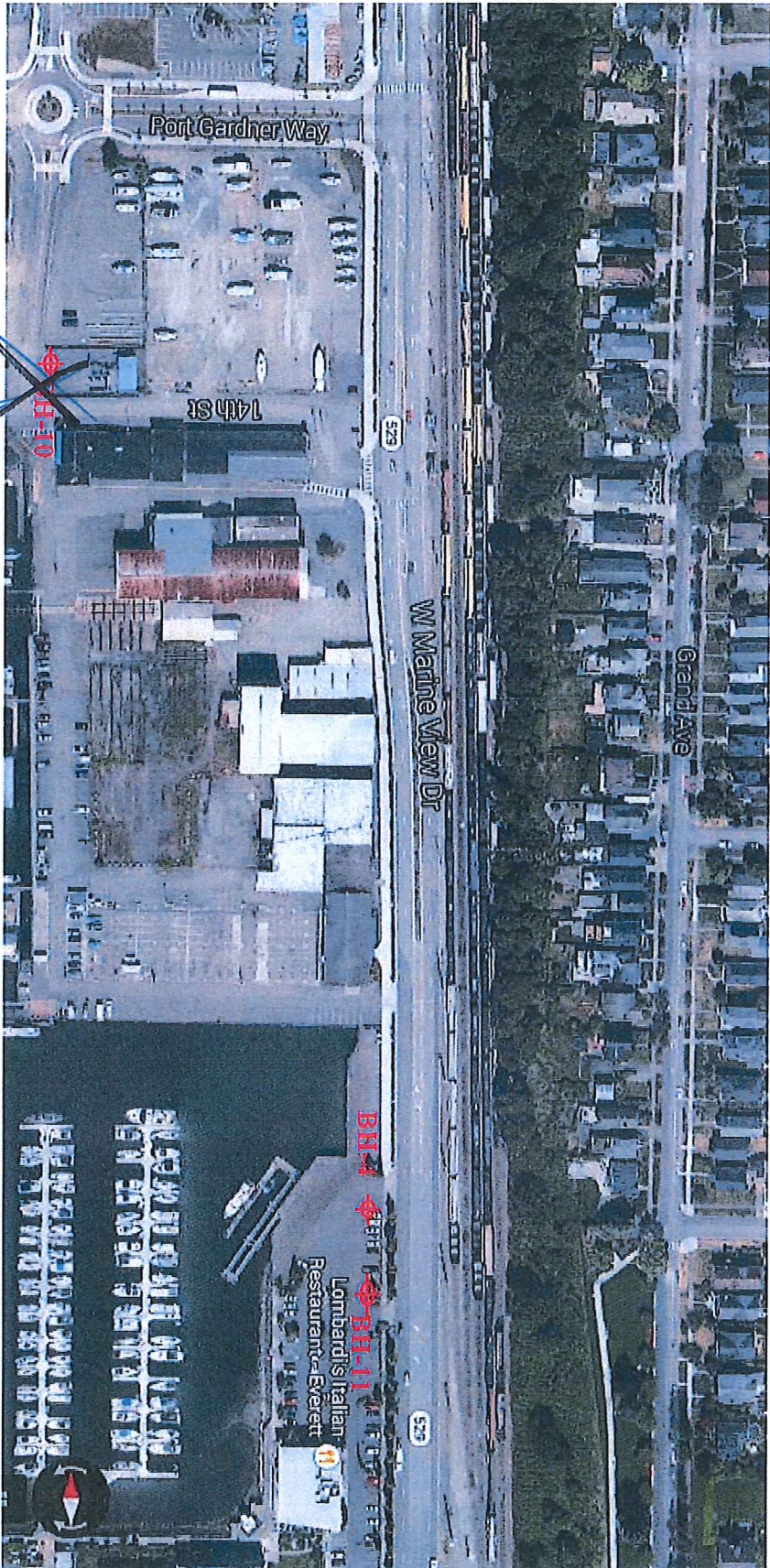
Sharon Full
City Clerk

APPROVED AS TO FORM

James D. Iles
JAMES D. ILES, City Attorney

Approved as to form:

P. Bely
Port Attorney



Legend

BH-2 Approximate location and designation of borings with well installs

Not to Scale

HWA HWA GEOSCIENCES INC.

GROUND WATER WELL LOCATIONS
GRAND AVENUE PARK BRIDGE
EVERETT, WA

FIGURE NO.
1
PROJECT NO.
2014-090



EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

PROJECT TITLE:

Amendment to Right of Entry Agreement with the Port of Everett to install monitoring wells for Grand Ave Park pedestrian and utility bridge project

	Briefing
	Proposed Action
	Consent
6/24/15	Action
	First Reading
	Second Reading
	Third Reading
	Public Hearing
	Budget Advisory

COUNCIL BILL # _____
 Originating Department _____
 Contact Person _____
 Phone Number _____
 FOR AGENDA OF _____

Real Property
 Mike Palacios
 425-257-8938
 6/24/15

Initialed by:
 Department Head
 CAA
 Council President

Location

1620 West Marine View
Drive

Preceding Action

2/25/15 Right of Entry
Agreement

Attachments

Recommendations

1. Amendment to Right-of-Entry Agreement

Department(s) Approval

Utilities, Real Property

Amount Budgeted	-0-	
Expenditure Required	-0-	Account Number(s):
Budget Remaining	-0-	
Additional Required	-0-	

DETAILED SUMMARY STATEMENT:

The City needs to install monitoring wells in order to monitor water levels and conduct water quality sampling on Port of Everett property as part of the design work for the Grand Avenue Park pedestrian and utility bridge project. The attached amendment to the Right of Entry Agreement grants the City permission to perform this work.

RECOMMENDATION:

Authorize the Mayor to sign the Amendment to Right of Entry Agreement with the Port of Everett to install monitoring wells for Grand Ave Park pedestrian and utility bridge project.

Comité Approuvé
on 6/24/15 SJ